

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 058333/0112

In re patent application of

CHOI, YANG-DO et al.

Serial No. 10/049,187

Filed: February 8, 2002

For: GENES FOR S-ADENOSYL L-METHIONINE: JASMONIC ACID  
CARBOXYL METHYLTRANSFERASE AND A METHOD FOR THE  
DEVELOPMENT OF PATHOGEN- AND STRESS-RESISTANT PLANTS  
USING THE GENES

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

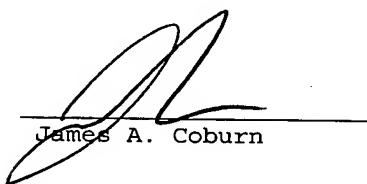
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 10/049,187

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

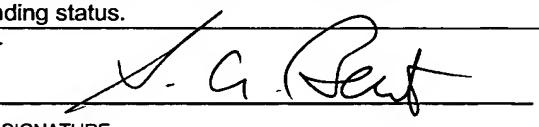
May 17, 2002  
Date

  
James A. Coburn

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Intellectual Property Services  
1500A Lafayette Road  
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800-318-3021

#4

FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			058333-0112	
				U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/049/187
INTERNATIONAL APPLICATION NO. PCT/KR 01/00953	INTERNATIONAL FILING DATE 5 June 2001		PRIORITY DATE CLAIMED 13 June 2000	
TITLE OF INVENTION GENES FOR S-ADENOSYL L-METHIONINE:JASMONIC ACID CARBOXYL METHYLTRANSFERASE AND A METHOD FOR THE DEVELOPMENT OF PATHOGEN-AND STRESS-RESISTANT PLANTS USING THE GENES				
APPLICANT(S) FOR DO/EO/US Yang-Do CHOI, Jong-Joo CHEONG, Jong-Seob LEE, Jong-Tae SONG, Sang-Ik SONG, Hak-Soo SEO, and Yeon-Jong KOO Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))  <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> has been transmitted by the International Bureau.  <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> have been transmitted by the International Bureau.  <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.  <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>11. <input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27.</p>				
Items 12. to 17. below concern other document(s) or information included:				
<p>12. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, PTO/SB/08 Form with 15 References.</p> <p>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>14. <input type="checkbox"/> A FIRST preliminary amendment.  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input checked="" type="checkbox"/> Other items or information: Amendment In Response to Notice (3 pgs.); Statement to Support Filing and Submission(2 pgs.); Sequence Listing (7 pgs.); and Return Copy of Notification of Missing Requirements (2 pgs.) and Computer Readable Form (CRF) of the Sequence Listing (1 disc).</p>				

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50 10/049,187		INTERNATIONAL APPLICATION NO. PCT/KR01/00953		ATTORNEY'S DOCKET NUMBER 058333-0112	
18. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO ..... \$890.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$710.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$740.00					
Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1,040.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e))					
Claims	Number Filed	Included in Basic Fee	Extra Claims	Rate	
Total Claims	-	20	= 0	× \$18.00	\$0.00
Independent Claims	-	3	= 0	× \$84.00	\$0.00
Multiple dependent claim(s) (if applicable)				\$280.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Reduction by ½ for filing by small entity, if applicable.				\$0.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f))				+	
TOTAL NATIONAL FEE =				\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$0.00	
06/18/2002 GFREY1 00000080 061447 10049187 01 FC:254 25.00 CH 40.00 DP				Amount to be: refunded	\$
				charged	\$
a. <input type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>06-1447</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1447</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner Washington Harbour 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5143					
 SIGNATURE					
NAME STEPHEN A. BENT					
REGISTRATION NUMBER 29,768					